

# MANDATE

08-2829-cv  
Nuraldin v. Colucci

## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

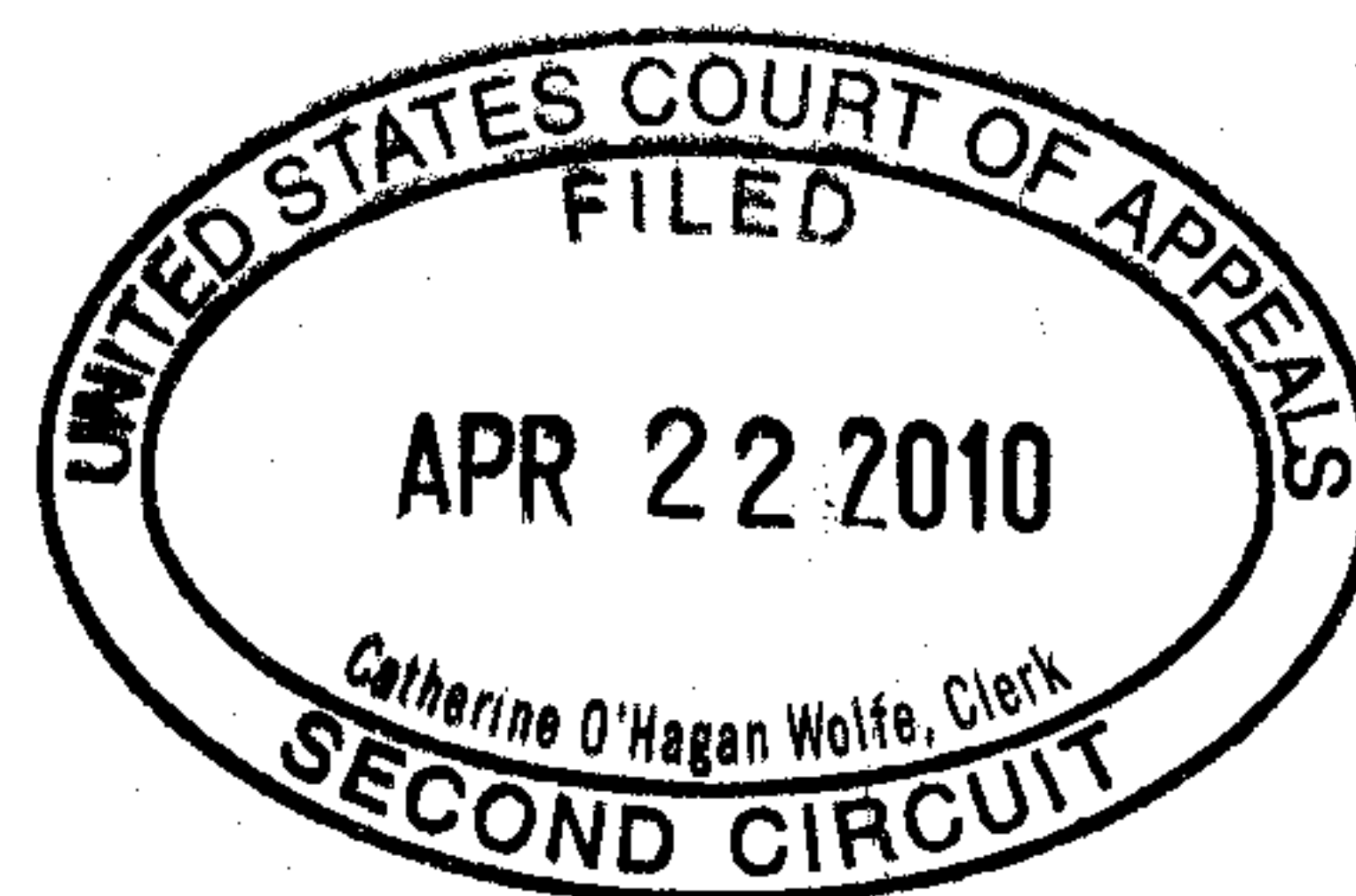
### SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 22<sup>nd</sup> day of April, two thousand ten.

PRESENT:

AMALYA L. KEARSE,  
ROBERT D. SACK,  
DEBRA ANN LIVINGSTON,  
*Circuit Judges.*



Yusuf J. Nuraldin, Founder and President of "KALEIDOSCOPE" ("Zebra Team") on behalf of himself and all other similarly situated Zebra Team member(s)/Associates (1st Amendment Association Rights, with) Anthony Farella Sr., Police Officer & part-time centro employee; Mrs. Felicia A. Townsend,

*Plaintiff-Appellant,*

v.

08-2829-cv

Robert Colucci Jr., Chairman, Board of Directors, CENTRO, Brian M. Schult, Vice Chairman, Board of Directors, CENTRO, Warren Frank, Former CEO, CENTRO, Joe Calabrese, Former CEO, CENTRO, Frank Kobliski, Former CEO, CENTRO, John Renock, Senior VP of Operations, CENTRO, Joe Degray, VP of Operations, CENTRO, Steve Share, VP of Finance, CENTRO, Richard Lee, VP of Human Resources, CENTRO, Gary Nordheim, Employee Relations Manager, CENTRO, Jackie Musengo, Benefits Manager, CENTRO, Audrey Tucker, Light Duty Coordinator, CENTRO, Leo Williams, Loead Outside Supervisor, CENTRO, Dave Mix, Supervisor, CENTRO, Duke Bailey, Supervisor, CENTRO, Angela Gholston, Supervisor, CENTRO, Darryl Vanderpool, Outside Supervisor, CENTRO, Elizabeth Unislowski, Personal Secretary of Senior VP John Renock, CENTRO, Patty Dishaw, Manager Service Development,

MANDATE ISSUED ON 08/25/2010



CENTRO, Joe Sperato, Dispatch Supervisor, CENTRO, Craig Williams, Former Dir.  
 of Human Resources, CENTRO, Tom Shallcross, Former Manager of all CENTRO  
 supervisors, Mike Jablinski, Former Employee Relations Manager, CENTRO, Carl  
 Baker, Former Employee Relations Manager, CENTRO, Scott Vanderpool, Former  
 Manager Supervisor, CENTRO, Waverly Faison, Security, CENTRO, Shawn  
 McManus, Bus Operator, CENTRO, Robert C. Sprague Jr., Former Chief Admin.  
 Officer, CENTRO, Kathy Fuller, Supervisor of Regional Transportation Center,  
 CENTRO, Warren Woodruff, Manager RTC, CENTRO, Angelic Mason, Supervisor,  
 CENTRO, Dave Kriesal, Former Supervisor, CENTRO, Lon Large, Dispatch  
 Supervisor, CENTRO, Ed Mueller, Former Union VP, Frank Miller, Ferrara, Fiorenza,  
 Larrison, Barrett & Reitz, P.C., CENTRO's Law Firm, Craig M. Atlas, Ferrara, Fiorenza,  
 Larrison, Barrett & Reitz, P.C., CENTRO's Law Firm, Ferrara, Fiorenza, Larrison,  
 Barrett & Reitz, P., CENTRO's Law Firm, Miles Lawlor, Ferrara, Fiorenza, Larrison,  
 Barrett & Reitz, P.C., CENTRO's Law Firm, Amalgamated Transit Union, International  
 and/or Local 580, Warren George, International Union President, Joseph Welch,  
 International VP, Chuck Watson, Business Agent, Secretary Treasurer, John Campbell,  
 Former Union Pres., Dorothy Hunter, Former Union VP, Pres., Mary Neguent, Former  
 Union Sec., Al Parker, Former Union VP, Bill Montroy, Union Rep., Homer Davis,  
 Former Trial Committee Investigator, Bonnie Krell, Union Member, Bob Fairchild,  
 Union Member, Mike Conway, Union Member, Mary Jane Tortorici, Former Union  
 Board Member, Perry Tarquino, Retired Member, Elliott Rouse, Retired Union  
 Member, Carlton Derby, Union Member, Tyrone Burke, Former CENTRO Supervisor,  
 now Union, Scott Hamilton, Union Board Member, Kenneth Orr, Former Union Trial  
 Committee, Dana McMahon, Union Trial Committee, Bill Miner, Union Trial  
 Committee, Jeff Keller, Union Trial Committee, Frank Chapman, VP, John Ziemba,  
 former Union Board Member, Stephanie A. Miner, Blitman & King, Union Local 580's  
 Lawyers, N.Y. State Workers Compensation Board, Karl A. Henry, NY State Workers  
 Compensation Board, Scott C. Firestone, NY State Workers Compensation Board, Carol  
 G. McManus, NY State Workers Compensation Board, Judge Boher, WCB State  
 Employee, Vanessa E. Jackson, Court Stenographer, Michele Zajac, WCB Admin,  
 Michael J. O'Brien, WCB Attorney, Attorney Woods, CENTRO's WCB Lawyer,  
 Attorney Richmond, CENTRO's WCB Lawyer, PERMA, CENTRO's WCB Insurance  
 Carrier, Jane Mokay, Agent PERMA, RMSCO, CENTRO'S Disability No-Fault  
 Insurance Carrier, Jane Miles, Agent RMSCO, N.Y. State Unemployment Insurance  
 Board, Jane Doe-Chairperson NYS, Unemployment Insurance Board, Chairperson NY  
 State Unemployment Insurance Board, John Doe-Intake Specialist NYS Unemployment  
 Insura, Don Livingston, Case Manager Specialist, NY State Unemployment Insurance  
 Board, Zurich American Insurance Company, John Doe- Chairperson NYS  
 Unemployment Insurance, Chairperson, NY State Unemployment Insurance Board, Jane  
 Doe- RMSCO, CEO, RMSCO, John Doe- RMSCO, CEO, RMSCO, Jane Doe-  
 PERMA, CEO, PERMA, John Doe- PERMA, CEO, PERMA, Jane Doe- Zurich  
 American Insurance Company, CEO, John Doe- Zurich American Insurance Company,  
 CEO, Adolfo S. Hernandez, Claims Examiner, Central New York Transportation  
 Authority, CENTRO Board of Directors, H.J. Hubert, Treasurer, G. Joseph Chalifoux,  
 Member, Nicholas F. Laino, Member, Vincent A. O'Neil, Member, Darlene D.  
 Lattimore, Secretary, Deraux L. Branch, Member, Mary Davis, Advisor, State of New  
 York Unified Court System, Onondaga Supreme Court, Onondaga County Court, Mary



Thomason, Deborah Stoltz, Mary Lou Crowley, William R. Roy, Honorable Justice, Matthew E. Bergerton, Attorney, Satter & Andrews, LLP, Ellie Ruston, Former Outside Supervisor,

*Defendants-Appellees.*

FOR APPELLANT: Yusuf J. Nuraldin, *pro se*, Liverpool, New York.

FOR APPELLEES: Miles G. Lawlor; Ferrara, Fiorenza, Larrison, Barrett & Reitz; East Syracuse, New York, for Defendants-Appellees Frank Kobliski, John Renock, Joseph DeGray, Steven Share, and Richard Lee.

Appeal from the May 22, 2008 post-judgment order of the United States District Court for the Northern District of New York (Hurd, J.).

**UPON DUE CONSIDERATION IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the order of the district court be **AFFIRMED**.

Appellant Yusuf J. Nuraldin, *pro se*, appeals from the district court's May 22, 2008 post-judgment order denying his motion "to amend or make additional findings" and "for reconsideration of judgment and modification or clarification of" the district court's February 15, 2008 order dismissing his civil rights complaint. We assume the parties' familiarity with the underlying facts, procedural history of the case, and issues on appeal. Upon due consideration of the district court record and the parties' submissions, we find no abuse of discretion in the district court's decision. *See Sequa Corp. v. GBJ Corp.*, 156 F.3d 136, 143 (2d Cir. 1998); *Transaero, Inc. v. La Fuerza Aerea Boliviana*, 162 F.3d 724, 729 (2d Cir. 1998).

For the foregoing reasons, the order of the district court is hereby **AFFIRMED**.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

Catherine O'Hagan Wolfe